

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David Allen Caroon,

Civil 13-1646 MJD/FLN

Petitioner,

v.

O R D E R

Warden Steve Hammer,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated July 3, 2013, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, (Docket No. 1), is **DENIED**;
2. Petitioner's application for leave to proceed in forma pauperis, ("IFP"), (Docket No. 4) is **DENIED**;
3. Petitioner's "Motion to Bar the State from Responding to Argument [sic]," (Docket No. 5), is **DENIED**;
4. Petitioner's "Motion for Acquittal," (Docket No. 6), is **DENIED**;
5. Petitioner's "Motion to Vacate Conviction and Judgement," (Docket No. 7), is **DENIED**;

6. This action is summarily **DISMISSED WITHOUT PREJUDICE FOR LACK OF JURISDICTION**; and

7. Petitioner is **NOT** granted a Certificate of Appealability.

DATED: September 24, 2013.
at Minneapolis Minnesota

s/Michael J. Davis
CHIEF JUDGE MICHAEL J. DAVIS
United States District Court